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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,226	10/20/2000	Kia Silverbrook	ART84US	7839

24011 7590 02/25/2005

SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER	
HANNETT, JAMES M	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/693,226	SILVERBROOK ET AL.	
	Examiner	Art Unit	
	James M Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6 and 7* is/are rejected.

7)☒ Claim(s) *5* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 October 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/23/2004 have been fully considered but they are not persuasive. The applicant argues that Soscia does not teach that the data is printed on the surface of the card independently of other images on the surface.

Soscia teaches that the sound data is printed in one of the various images printed on the card since these areas provide a site for the imperceptible printing of infrared inks. Although Soscia teaches that the sound data is printed in a region based on the location of another printed image, the applicant claims the data is printed on the surface independently of other images on the surface and does not specify that the data needs to be printed independently of all other visible images on the surface.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1: Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,441,921 Soscia in view of USPN 5,771,245 Zhang.

2: As for Claim 1, Soscia teaches on Column 4, Lines 6-15 and Column 5, Lines 11-37, the use of a system that encodes on a greeting card sound data by means of printing on the card using invisible infra-red ink. Soscia teaches on Column 6, Lines 50-55 an apparatus for reading data printed in invisible ink on a surface of a card said surface bearing an image. Soscia teaches

that the sound data is printed in one of the various images printed on the card since these areas provide a site for the imperceptible printing of infrared inks. Although Soscia teaches that the sound data is printed in a region based on the location of another printed image, the applicant claims the data is printed on the surface independently of other images on the surface and does not specify that the data needs to be printed independently of all other visible images on the surface. Soscia teaches on Column 7, Lines 3-13 scanning means for scanning said digital form of said data on said surface; means for processing said scanned data and for decoding said data into a secondary digital format; means for outputting said secondary digital format to an output device with which said secondary digital format is usable; said output device presenting said data as sound data. However, Soscia does not teach that the data printed on the greeting card can be encoded in fault tolerant form.

Zhang teaches on Column 3, Lines 58-61 and Column 4, Lines 18-31 that when storing data in a printed form it is advantageous to store the data in a fault tolerant form that allows the data to be fully reconstructed even if errors occur. This is advantageous because it allows the data to be fully reconstructed even if some of the data has been lost due to damage.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to encode the data that is stored on the greeting card of Soscia in the fault tolerant form as taught by Zhang in order to allow all of the data to be read and reproduced even in the event of data loss due to burst error patterns.

3: In regards to Claim 2, Zhang further teaches on Column 4, Lines 18-31 that it is advantageous to use a Reed-Solomon process for encoding the data in a fault tolerant digital form.

4: As for Claim 3, Soscia teaches on Column 4, Lines 60-61 that the output device includes a display device (25).

5: In regards to Claim 4, Soscia further teaches on Column 5, Lines 29-37 that the invisible ink is an infra-red adsorbing ink with negligible absorption in the visible spectrum.

6: As for Claim 6, Soscia in view of Zhang teaches the method of printing sound data in a greeting card using a printer. However, Soscia in view of Zhang is silent as to the resolution of the printer used.

Official notice is taken that it was well known in the art at the time the invention was made to use printers with resolutions greater than 1600 dpi in order to produce excellent image quality.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a printer with greater than 1600 dpi to print the greeting card of Soscia in view of Zhang in order to produce excellent image quality.

7: In regards to Claim 7, Soscia in view of Zhang teaches the method of printing sound data in a greeting card using a printer and scanning the greeting card with an image sensor to read the sound data. However, Soscia in view of Zhang is silent as to the resolution of the image sensor used to scan the greeting card.

Official notice is taken that it was well known in the art at the time the invention was made to use image sensors with resolution of greater than 4800 dpi to maximize the quality of the scanned image and improve the quality of the digitally reproduced image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use an image sensor that scans the greeting card of Soscia in view of

Zhang with greater than 4800 dpi resolution in order to maximize the quality of the scanned image and improve the quality of the digitally reproduced image.

Allowable Subject Matter

8. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880 or 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
February 10, 2005

WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600